

### **REMARKS**

Claims 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34 are pending in the application. Claims 1, 3, 5-9, 11-14, 18-21, 23, 27-29 and 31-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Branton Jr. et al (U.S. Patent No. 5,870, 558) in view of Haverstock et al. (U.S. Patent No. 6,434,607). Claim 30 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Branton in view of Haverstock and further in view of Thompson et al. (U.S. Patent No. 6,012,095). Claims 11 and 23 have been amended to correct improper claim dependencies. The Applicant respectfully traverses the rejections.

The Applicant thanks the Examiner for the telephone interview on September 25, 2003 to discuss the finality of the rejection.

The Applicants' claimed invention is directed to Simple Network Management Protocol (SNMP) requests which are requests to retrieve or modify objects (for example, text strings, counter values) stored in a managed element. The SNMP requests received by the managed element are prioritized based on a user identifier in a network management message wrapper included in each request. (*See Applicants' Specification Page 7, line 24 - Page 8, line 9.*) The user identifier identifies the user of an application from which the request was sent. (*See Applicants' Specification Fig. 3 and Page 7, lines 7-16.*)

The cited prior art, Branton is directed to a method for retrieving and managing network data from network elements. Scheduling of user requests to network elements is performed by a scheduler which directs a user request for a network element to a controller that is directly connected to the network element. The controller then issues the user request to the network element. (*See Fig. 2; Fig. 5; Col. 15, lines 11-51.*)

The cited prior art Haverstock is directed to a method of controlling access to documents stored in a database. A security module assigns a priority level to a user. The assigned priority level is used to grant or deny access to the user to a document or a field within the document. (*See Abstract.*)

The cited prior art Thompson is directed to a method of integrating information from different network protocols in a management system. (*See Abstract.*)

In contrast to the cited prior art, the Applicants' claimed invention assigns a priority value "to the network management request received by the managed element dependent upon a user

identifier in a network management wrapper included in the request, the user identifier identifying the user of an application from which the request is being sent” as claimed by the Applicants in base Claims 1, 18, 27, 28, 29 and 30. The combination of Branton, Haverstock and Thompson do not teach or suggest the Applicants’ claimed invention for assigning priority dependent upon a user identifier in a network management wrapper included in the request.

Branton does not teach or suggest the Applicants’ claimed “assigning a priority value to the network management request received by the managed element dependent upon a user identifier stored in a network management wrapper included in the request”. In contrast, all requests are prioritized by the scheduler based on type of request (batch or on-line) prior to being received by the controller. Furthermore, Branton does not teach or suggest the Applicants’ claimed “scheduling the network management requests, by the managed element”. In contrast, Branton merely discusses a controller which directs requests one at a time to directly connected network elements at a predetermined time. Furthermore, the request issued to the network element by the controller does not even include a user identifier. (See Col. 13, lines 18-67 and Abstract.)

The Office must read the Claims very broadly to suggest that the Applicants’ claimed managed element which schedules management requests could be equivalent to the “network element” discussed by Branton. Branton’s network element does not schedule requests, Branton’s network element merely processes one request at a time. Branton’s network element is therefore not equivalent to the claimed managed element.

Haverstock does not teach or suggest the need for scheduling requests. Haverstock merely discusses controlling access to objects stored in a document database, by allowing access based on assigned priority levels. Thompson merely discusses SNMP as an example of a network protocol used to manage devices in a computer network.

Branton is directed to network management, Haverstock is directed to document management systems and Thompson is directed to network protocols. One of ordinary skill in the art of network management would not look to document management to provide the prioritizing of a network management request of the present invention as now claimed. Thus, there is no suggestion to combine Branton, Haverstock and Thompson. Therefore, even if combined, the present invention as now claimed does not result as argued above.

The patentably distinguishing language reads in pertinent part:

"assigning a priority value to the network management request received by a managed element dependent upon a user identifier in a message wrapper included in the request, the user identifier identifying the user of an application from which the request was sent;"

The above quoted claim language is in base Claims 1, 18, 27, 28, 29 and 30. Claims 3, 5-9, and 11-14 are dependent on Claim 1, Claims 20-21 and 23 are dependent on Claim 18, and thus include this limitation over the prior art. Independent Claims 31 and 32 and claims dependent on claims 31 and 32 include like limitations distinguishing the cited art.

Therefore, separately or in combination, Branton, Haverstock and Thompson do not teach or suggest the Applicants' claimed invention. Thus, none of the cited prior art alone or in combination teaches or suggests the Applicants' claimed method for prioritizing a network management request. Accordingly, the present invention as now claimed is not believed to be anticipated or made obvious by the cited art or any of the prior art. In view of the foregoing, removal of the rejection under 35 U.S.C. § 103(a) and acceptance of Claims 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34 are respectively requested.

**CONCLUSION**

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol M. Fleming  
Caroline M. Fleming  
Registration No. 45,566  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 11/12/03